

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Arnold J. Rose III**  
Debtor(s)

Bankruptcy Case No.: 20-21805-GLT  
Issued Per 12/17/2020 Proceeding  
Chapter: 13  
Docket No.: 32 - 26  
Concil. Conf.: December 17, 2020 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 25, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Dec. 17, 2020 at 10:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Attorneys Fees to be based on retainer of \$500.00

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

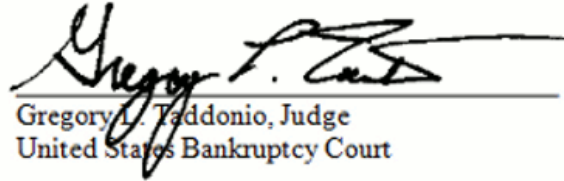
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: December 21, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
Arnold J. Rose, III  
Debtor(s)

Case No. 20-21805-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Dec 21, 2020

User: dbas  
Form ID: 149

Page 1 of 3  
Total Noticed: 34

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 23, 2020:

Recip ID	Recipient Name and Address
db	+ Arnold J. Rose, III, 14 Dinell Drive, Pittsburgh, PA 15221-4563
cr	+ Accelerated Inventory Mgt, LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite #200, Tucson, AZ 85712-1083
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15273647	+ Accelerated Inventory Mgt. LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Rd., Suite 200, Tucson, AZ 85712-1083
15265381	+ BMW Financial Services Attn: Customer Accounting, 5550 Britton Parkway, Hilliard, OH 43026-7456
15252913	+ Bank of America, 4909 Savarese Circle, F11-908-01-50, Tampa, FL 33634-2413
15269022	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
15252916	+ Central Credit Services, LLC, Re: Chestnut Hills Dental, 9550 Regency Square Blvd, Suite 500 A, Jacksonville, FL 32225-8169
15271371	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
15252917	+ Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
15252918	+ Cynthia D. Rose, 14 Dinnell Drive, Pittsburgh, PA 15221-4563
15252919	+ Cynthia Rose, 14 Dinell Drive, Pittsburgh, PA 15221-4563
15252920	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, Department Store National Bank/Macy's, Attn: Bankruptcy, 9111 Duke Boulevard, Mason, OH 45040
15252922	Greater Pittsburgh FCU, 4415 Fifth Avenue, Pittsburgh, PA 15213-2654
15252923	+ LendingClub, Attn: Bankruptcy, 595 Market St, Ste 200, San Francisco, CA 94105-2807
15278629	+ PennyMac Loan Services, LLC, P.O. Box 2410, Moorpark, CA 93020-2410
15252925	+ Pennymac Loan Services, Correspondence Unit/Bankruptcy, Po Box 514387, Los Angeles, CA 90051-4387
15266281	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Ave., Pittsburgh, PA 15233-1828
15252926	++ TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026 address filed with court:, Toyota Financial Services, PO box 5855, Carol Stream, IL 60197
15252927	+ Wells Fargo Bank NA (Bobs Furniture), Attn: Bankruptcy, 1 Home Campus Mac X2303-01a, Des Moines, IA 50328-0001
15263414	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
15259074	Wells Fargo Bank, N.A., Wells Fargo Bank, N.A., Default Document Processing, MAC#N9286-01Y, 1000 Blue Gentian Road Eagan MN 55121-7700
15252928	Wells Fargo Home Mortgage, Attn: Written Correspondence/Bankruptcy, Mac#2302-04e Pob 10335, Des Moines, IA 50306

TOTAL: 23

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Dec 22 2020 04:49:30	BMW Financial Services NA, LLC, c/o AIS Portfolio, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: kbarkley@bernsteinlaw.com	Dec 22 2020 05:17:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15252914	Email/PDF: ais.bmw.ebn@americaninfosource.com	Dec 22 2020 04:33:09	BMW Financial Services, Attn: Bankruptcy Department, Po Box 3608, Dublin, OH 43016-0306
15252915	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 22 2020 04:41:57	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15256793	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 22 2020 04:49:18	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC

District/off: 0315-2

User: dbas

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Date Rcvd: Dec 21, 2020

Form ID: 149

Total Noticed: 34

15252921	Email/Text: mrdiscen@discover.com	Dec 22 2020 05:13:00	28272-1083 Discover Financial, Attn: Bankruptcy Department, Po Box 15316, Wilmington, DE 19850
15271370	Email/Text: bnc-quantum@quantum3group.com	Dec 22 2020 05:15:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
15256982	Email/Text: mrdiscen@discover.com	Dec 22 2020 05:13:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15252923	+ Email/Text: Documentfiling@lciinc.com	Dec 22 2020 05:14:00	LendingClub, Attn: Bankruptcy, 595 Market St, Ste 200, San Francisco, CA 94105-2807
15252924	+ Email/Text: bankruptcynotices@psecu.com	Dec 22 2020 05:17:00	P S E C U, Attention: Bankruptcy, Po Box 67013, Harrisburg, PA 17106-7013
15267888	Email/Text: bankruptcynotices@psecu.com	Dec 22 2020 05:17:00	PSECU, PO BOX 67013, HARRISBURG, PA 17106-7013
15275234	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Dec 22 2020 04:42:37	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 12

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PENNYMAC LOAN SERVICES, LLC
cr		WELLS FARGO BANK, N.A.

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 23, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 21, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PENNYMAC LOAN SERVICES LLC bnicholas@kmlawgroup.com
Bryan P. Keenan	on behalf of Debtor Arnold J. Rose III keenan662@gmail.com, melindap662@gmail.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Mario J. Hanyon	on behalf of Creditor WELLS FARGO BANK N.A. mario.hanyon@brockandscott.com, wbecf@brockandscott.com

District/off: 0315-2

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Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor WELLS FARGO BANK N.A. pawb@fedphe.com

TOTAL: 8